

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

MARLAYNA GONZAGOWSKI,)
))
Plaintiff,))
))
v.) Case No. 4:20CV00348 JAR
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))
ANDREW SAUL,))
Commissioner of Social Security,))
))
Defendant.))

MEMORANDUM AND ORDER

This case is before the Court on Commissioner Andrew Saul’s (“the Commissioner’s”) Motion to Reverse and Remand the case to the Commissioner for further administrative action pursuant to sentence four of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g). (Doc. No. 17). Plaintiff has not responded to the motion.

On March 4, 2020, Plaintiff filed a Complaint seeking review of the Commissioner’s decision that she was not under a disability within the meaning of the Social Security Act. (Doc. No. 1). The Commissioner filed his answer and the transcript of the administrative proceedings on August 28, 2020. (Doc. Nos. 13, 14).¹ Plaintiff filed a brief in support of the complaint on September 28, 2020. (Doc. No. 16).

On October 22, 2020, the Commissioner filed the instant motion to reverse and remand the case to the Commissioner for further action under sentence four of section 205(g) of the Social Security Act, which permits the Court “to enter, upon the pleadings and transcript of the record, a

¹ The case was stayed from May 6, 2020 to August 28, 2020. (Doc. Nos. 9, 11, 15).

judgment affirming, modifying, or reversing the decision of the Commissioner, with or without remanding the cause for a rehearing.” 42 U.S.C. § 405(g). The Commissioner represents in his motion that upon review of the record, agency counsel determined that remand was necessary for further evaluation of Plaintiff’s claim. The Commissioner states that “[o]n remand, the ALJ will be instructed to give further consideration to Plaintiff’s residual functional capacity and provide rationale with specific references to the evidence of record in support of assessed limitations (Social Security Ruling 96-8p).” (Doc. No. 17 at 2).

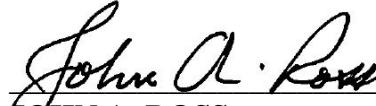
Upon review of Plaintiff’s brief in support of the complaint, the ALJ’s decision, and the Commissioner’s motion, the Court agrees with the parties that this case should be reversed and remanded pursuant to sentence four of 42 U.S.C. § 405(g).

Accordingly,

IT IS HEREBY ORDERED that the Commissioner’s Motion to Reverse and Remand [17] is **GRANTED**.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that decision of the Commissioner of Social Security is **REVERSED** and that this case is **REMANDED** under Sentence Four of 42 U.S.C. § 405(g) for reconsideration and further proceedings consistent with this opinion.

Dated this 2nd day of November, 2020.



John A. Ross
JOHN A. ROSS
UNITED STATES DISTRICT JUDGE